

## MINUTES

### COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – AUGUST 19, 2003 – 7:00 P. M.

---

#### (A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young  
Kathy Rawls  
Scott Singer  
LaWana McKenzie  
Chuck Smith  
Eddie Butler  
Charles Barton  
Rick Osbon  
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator  
Robert M. Bell, County Attorney  
Tamara Sullivan, Council Clerk

#### (B) INVOCATION

Councilman Hightower led in the invocation.

#### (C) PLEDGE OF ALLEGIANCE

Councilman Osbon led in the Pledge of Allegiance.

#### (D) APPROVAL OF MINUTES

1. July 15, 2003 Worksession
2. July 15, 2003 Regular Meeting
3. August 12, 2003 Special Meeting

- a. Councilwoman McKenzie made a motion to approve the minutes. Councilman Butler seconded.
- b. The minutes were approved by unanimous vote.

#### (E) APPROVAL OF AGENDA

- a. Councilwoman Rawls made a motion to amend and approve the agenda as follows:
  1. Add Consent Item 22a – A Proposed Resolution To Authorize the Acceptance of a Grant for Equipment for the Sheriff's Office.
  2. Add Consent Item 22b – A Proposed Resolution Recognizing The Reverend Douglas Slaughter on his Tenth Pastoral Anniversary at Second Baptist Church of Aiken.

3. Add Consent Item 22c – A Proposed Voice Motion to accept a mass fatality mobile unit for the Aiken County Coroner’s Office under the Homeland Security Act.
- b. Councilman Hightower seconded the motion. The amended agenda was approved by unanimous vote.

(F) AWARDS AND RECOGNITIONS

1. Proposed Resolution to Express Appreciation to Aiken County Ham Radio Operators (ARES/RACES) for Their Invaluable Assistance During the Communications Emergency on June 16, 2003.  
(County Council)
  - a. Councilman Smith made a motion to approve the Resolution. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.
2. Proposed Resolution Expressing Congratulations to Jason Fulmer, Teacher at Redcliffe Elementary School, for Being Selected South Carolina Teacher of the Year.  
(County Council)
  - a. Councilman Singer made a motion to approve the Resolution. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.

(G) PUBLIC HEARINGS

1. Proposed Ordinance to Amend the Aiken County Code of Ordinances Concerning the Public Hearing Requirements for Proposed Ordinances.
  - a. No comments were made.
2. Proposed Ordinance to Amend Section 2-719 of the Aiken County Code of Ordinances to Alter the Procedure for Disposition of Surplus Computer Equipment.
  - a. No comments were made.
3. Proposed Third Supplemental Ordinance Authorizing and Providing for the Issuance and Sale of Aiken County, South Carolina, Sewer System Revenue Bonds, Series 2003B, in the Principal Amount of \$5,600,000; Prescribing the Purposes for Which the Proceeds Shall be Expended; Providing for the Payment Thereof; and Other Matters Relating Thereto.
  - a. No comments were made.
4. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Combine and Improve the Procedures for Dealing with Nuisances and Unfit Dwellings.
  - a. Councilwoman Rawls stated that she was surprised by some of the wording in the proposed Ordinance and in its relevance to the rural area.
  - b. Councilman Butler pointed out that five or more residents who reside within 1,000 feet of the property where the alleged nuisance existed would need to lodge a complaint.

- c. Councilwoman Rawls added that another section of the Ordinance allowed one person to lodge a complaint with the Sheriff or a magistrate.

(H) OLD BUSINESS

1. Proposed Third Supplemental Ordinance Authorizing and Providing for the Issuance and Sale of Aiken County, South Carolina, Sewer System Revenue Bonds, Series 2003B, in the Principal Amount of \$5,600,000; Prescribing the Purposes for Which the Proceeds Shall be Expended; Providing for the Payment Thereof; and Other Matters Relating Thereto.  
(County Council) (Third Reading)
  - a. Councilman Smith made a motion for the approval. Councilman Butler seconded.
  - b. Passed by unanimous vote.
2. Remove from the Table a Proposed Ordinance to Declare Certain Land at the Sage Mill Industrial Park as Surplus and to Authorize its Sale to the United Way of Aiken County for Use as a Community Day Care Facility.  
(Development Committee) (Third Reading)
  - a. Councilman Singer made a motion to remove the Ordinance from the Table. Councilman Smith seconded.
  - b. The motion to remove from the Table failed by a majority vote with Councilman Singer, Councilman Smith, and Councilman Osbon voting in favor. Councilwoman Rawls, Councilwoman McKenzie, Councilman Butler, Councilman Barton and Councilman Hightower voted in opposition. Chairman Young abstained.  
  
Because Council voted not to remove the proposed Ordinance from the Table, the Ordinance was considered dead.
3. Proposed Ordinance to Amend Section 2-697 and 2-722 of the Aiken County Code of Ordinances to Delete the Procurement Advisory Committee.  
(Administrative Committee) (Third Reading)
  - a. Councilwoman Rawls moved for the adoption. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.

(I) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, and 6.  
(Rawls, Singer, McKenzie, Smith, Butler, Barton)
2. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2004 Council Contingency Fund.  
(County Council)
3. Proposed Resolution to Assign the Official Road Name of Sand Mountain Drive to an Existing Unnamed Private Road in County Council District 6.  
(Barton)

4. Proposed Resolution to Direct that Speed Limit Signs be Erected on Stack Road (C-634) Located in Council District 1; on Old Allen Road (C-336) Located in Council District 2; and on Saddle Horse Road (C-248) Located in Council District 3.  
(Rawls, Singer, McKenzie)
5. Proposed Resolution to Authorize the Central Procurement Division to Purchase Aerator Units from U.S. Filter Aerator Products.  
(Development Committee)
6. Proposed Resolution to Accept Easements on Bethcar Church Road (S-246), Boyd Pond Road (C-246), Briar Patch Lane (C-257), Cumbee Trail Road (C-549), and Cummings Road (C-519) Needed for Capital Projects Sales Tax Paving Project.  
(Development Committee)
7. Proposed Resolution to Accept Two Easements on Greenbriar Drive (C-2303) Needed for a Storm Drainage System.  
(Development Committee)
8. Proposed Resolution to Delete Gunter Pond Road (C-650) from the List of Roads to be Paved Utilizing the Capital Projects Sales Tax,  
(Development Committee)
9. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with T.B. Bulldozing, Inc. for the Dogwood Drive Improvements.  
(Development Committee)
10. Proposed Resolution to Authorize Leaving the Section of Andrews Circle (C-493) Adjacent to Property Belonging to Morris and Beverly Bryant as a Dirt Road and Paving the Section Just Past the Bryant's Property Line to Old Barnwell Road (S-2-113).  
(Development Committee)
11. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with N & F Cleaning Services for Janitorial Services at the Savannah River Research Campus.  
(Administrative Committee)
12. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Colleton Software Associates and Dynalinc, Inc. for Billing and Reporting Software for Ambulance Service.  
(Administrative Committee)
13. Proposed Resolution to Authorize the Central Procurement Division to Purchase AS/400-iSeries Upgrade from Yorel Integrated Solutions.  
(Administrative Committee)
14. Proposed Resolution to Accept a Grant from South Carolina Emergency Management Division for Emergency Preparedness.  
(Judicial and Public Safety Committee)
15. Proposed Resolution to Approve Implementation of a Program for Voluntary Guidelines for Timber Harvesting Using County Gravel or Dirt Roads.  
(Development Committee)

16. Proposed Resolution to Reinstate Anderson Pond Road (C-274) on the List of Roads to be Paved Utilizing the Capital Projects Sales Tax.  
(Development Committee)
17. Proposed Resolution to Disapprove a Request from the City of Aiken to Assist with Grading at Verenes Industrial Park for a Spec Building.  
(Development Committee)
18. Proposed Resolution to Authorize the Purchase of Vehicles for the Sheriff's Office from Vic Bailey Ford.  
(Judicial and Public Safety Committee)
19. Proposed Resolution to Authorize the Sheriff's Office to Utilize Fuel Cards Under the State Contract for Use by Staff in Outlying Areas.  
(Judicial and Public Safety Committee)
20. Proposed Ordinance to Amend the Aiken County Code of Ordinances Concerning the Public Hearing Requirements for Proposed Ordinances.  
(Administrative Committee) (Second Reading)
21. Proposed Ordinance to Amend Section 2-719 of the Aiken County Code of Ordinances to Alter the Procedure for Disposition of Surplus Computer Equipment.  
(Administrative Committee) (Second Reading)
22. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Combine and Improved the Procedures for Dealing with Nuisances and Unfit Dwellings.  
(Judicial & Public Safety Committee) (Second Reading)
- 22a. Proposed Resolution to Authorize the Acceptance of a Grant for Equipment for the Sheriff's Office.  
(ADDITON)
- 22B. Proposed Resolution Recognizing The Reverend Douglas Slaughter on his Tenth Pastoral Anniversary at Second Baptist Church of Aiken.  
(ADDITION)
- 22c. Proposed Voice Motion To accept a mass fatality mobile unit for the Aiken County Coroner's Office under the Homeland Security Act.  
(ADDITION)

## II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

23. Proposed Ordinance to Establish a Policy for Providing Public Works Assistance to Municipalities in Aiken County.  
(Development Committee)
24. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Establish a Policy for the Application and Acceptance of Grants.  
(Administrative Committee)
25. Proposed Ordinance to Amend Section 2-198 of the Aiken County Code of Ordinances Describing the Duties of the Clerk of Council.  
(Administrative Committee)

26. Proposed Ordinance to Adopt the Ordinance Summons, Pursuant to S.C. Code Ann. Section 56-7-80 (1976) as Amended, and to Provide for its Use in Aiken County.  
(Judicial and Public Safety Committee)
27. Proposed Ordinance to Amend Section 16.2, Parks Rules and Regulations of the Aiken County Code of Ordinances to Clarify its Meaning and to Add a Provision for the Disposal of Pet Waste.  
(Development Committee)
28. Proposed Ordinance to Delete Section 14.1 Handicapped Parking of the Aiken County Code of Ordinances.  
(Development Committee)
29. Proposed Ordinance to Issue Capital City Ambulance Service a Franchise to Operate a Private Ambulance Service in Aiken County for a Three Year Period Ending December 1, 2006.  
(Judicial and Public Safety Committee)
30. Proposed Ordinance to Authorize Aiken County, South Carolina to Execute Documents with Branch Banking & Trust Company Related to Funding of a Lease Purchase of Vehicles for the Sheriff's Office.  
(County Council)
  - a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilman Butler seconded.
  - b. The Consent Agenda was approved by unanimous vote.

(J) NEW BUSINESS

1. Decision Concerning Paving of Bethcar Church Road:
  - A. Proposed Resolution to Authorize Leaving the Section of Bethcar Church Road (S-2-246) from SC Hwy 302 to Coleman Bridge Road Unpaved and to Pave Only the Section of Bethcar Church Road from Camp Rawls Road (S-2-75) to SC Hwy 39.  
(Development Committee)
  - or
  - B. Proposed Resolution to Authorize Leaving the Section of Bethcar Church Road (S-2-246) Adjacent to Property Belonging to Mr. Thomas Ray Garvin as a Dirt Road and Paving the Section Just Past the Garvin Property to Coleman Bridge Road (S-2-152).  
(Development Committee)
    - a. Based on information from the Development Committee, Councilwoman Rawls made a motion to adopt the following corrected version of the Resolution: To Authorize Leaving the Section of Bethcar Church Road (S-2-246) Adjacent to Property Belonging to Mr. Thomas Ray Garvin as a Dirt Road and Paving the Section Just Past the Garvin Property to Coleman Bridge Road (S-2-152) and the Section from Camp Rawls Road (S-2-75) to SC Hwy. 39.
    - b. Councilwoman McKenzie seconded the motion.
    - c. The corrected Resolution passed by majority vote with Councilman Smith voting in opposition. Councilman Smith stated that he had voted in opposition because he thought

the County should condemn the property so that the entire road could be paved all at the same time.

2. Proposed Resolution to Authorize the Release of Funding Approved in the Aiken County FY 2004 General Fund Operating Budget for Aiken Technical College.  
(Administrative Committee)
  - a. Councilman Osbon made a motion for the approval. Councilman Singer seconded.
  - b. Councilman Smith pointed out that Council had not had the opportunity to discuss the release of the funds and made a motion to Table the Resolution.
  - c. Councilman Hightower seconded the motion to Table.
  - d. The motion to Table passed by majority voted with Councilwoman Rawls, Councilwoman McKenzie, Councilman Smith, Councilman Butler, Councilman Barton, Councilman Hightower and Chairman Young voting in favor. Councilman Singer and Councilman Osbon voted in opposition.
  - e. Council will receive the information at the next Worksession.
3. Proposed Resolution to Authorize the Award of a Contract to Branch Banking & Trust Company (BB&T) for the Financing of Sheriff's Office Vehicles.  
(Judicial and Public Safety Committee)
  - a. Councilman Hightower made a motion to approve the Resolution. Councilwoman Rawls seconded.
  - b. Mr. Killian explained that this Resolution would lock in the interest rate.
  - c. Councilman Smith made an amendment motion to provide that the local preference does not alter who would be awarded the bid under the County procurement regulations.
  - d. Councilman Singer seconded the amendment.
  - e. The amendment passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilwoman McKenzie, Councilman Smith, Councilman Butler, Councilman Barton and the Chairman voting in favor. Councilman Osbon and Councilman Hightower voted in opposition.
  - f. The amended Resolution passed by unanimous vote.
  - g. Council requested that the Administrative Committee review the County's local preference policy.
4. Proposed Resolution to Authorize the Reclassification of Two Positions in the Sheriff's Office.  
(Judicial and Public Safety Committee)
  - a. Councilman Smith moved for the adoption. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.

(K) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2004 Aiken County Contingency Report as of July 16, 2003.

(L) INFORMAL MEETING OF WHOLE

- a. Several citizen spoke in favor of the paving of Bethcar Church Road and Andrews Circle.  
  
In reference to the two property owners who would not sign over easements on Bethcar Church Road and Andrews Circle, Councilwoman Rawls asked that staff explore the possibility of paving with the existing right-of-way.  
  
Council requested that staff put the County's condemnation policy in writing for the Development Committee to review.
- b. Ms. Marilyn Swanson, Clinical Specialist, Aiken Regional Medical Centers, gave a brief presentation of the "Vial of Life Program" that is being promoted throughout Aiken County.
- c. Mr. Crad Jaynes, South Carolina Timber Producers Association, presented Council with the voluntary program to establish guidelines for timber harvesting operations. The intent of the program is to help the County maintain its dirt and gravel roads that are utilized by timber harvesting companies.  
  
Mr. Jaynes asked that the County reimburse the South Carolina Timber Producers Association the cost for copies and postage used to notify the various harvesting companies about the program.
- d. Councilman Singer asked that the minutes reflect his disappointment that Council had not addressed the release of the Aiken Technical College funds. He pointed out that representatives from Aiken Technical College were present for the Worksession and the Regular Meeting to answer questions and apologized for any inconvenience the Council had caused. Councilman Singer emphasized that Council needed to address the issue and resolve it one way or the other as soon as possible.
- e. Councilman Smith made a motion to recess for Executive Session. Councilwoman McKenzie seconded.
- f. The motion to go to Executive Session passed by unanimous vote.

RECESSED – 8:40 P. M.

(M) EXECUTIVE SESSION

1. Legal Matters:
  - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.  
(County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:



(N) ADJOURNMENT – 11:15 P. M.

Respectfully submitted,

SIGNED:

---

Tamara Sullivan, Council Clerk

---

Ronnie Young, Chairman